

the and deposit of funds received, as well as the payment of the company's expenses. Wishne maintained the accounting records of the company and prepared the related financial statements.

4. Wishne prepared yearly financial statements and sent them by electronic mail (e-mail) to the other managing members of SafeVision. The financial statements detailed the amount of income received on a monthly basis minus the cost of goods and expenses incurred by the company. The managing members used the yearly financial statements sent by Wishne to understand the company's net income and to estimate the operational budget for the upcoming year. It was part of the scheme to defraud that unbeknownst to SafeVision's other managing members, Wishne inflated certain expenses and cost of goods within the annual financial statements while underreporting certain income that the company received in order to conceal the fact that he was stealing and embezzling money from the company and using these stolen and embezzled funds for his own personal benefit.

5. It was part of the scheme to defraud that over a three year period, Wishne embezzled approximately \$825,500 from the company in excess of his salary.

6. On or about January 11, 2010 within the Eastern District of Missouri, for the purpose of executing the foregoing scheme and artifice to defraud and to obtain money or property and attempting to do so,

JOEL WISHNE,

the defendant herein, did knowingly and willfully transmit and cause to be transmitted in interstate commerce certain writings, signs, signals, pictures and sounds by means of wire communication in furtherance and execution of said scheme, to wit: the defendant sent across interstate wires by electronic mail to B.M. which included a false and fraudulent spreadsheet of SafeVisions 2009 financials.

In violation of Title 18, United States Code Section 1343.

COUNT TWO
(Wire Fraud)

1. The allegations contained in Count I are hereby realleged and incorporated by reference.
2. On or about August 9, 2010, within the Eastern District of Missouri, for the purpose of executing the foregoing scheme and artifice to defraud and to obtain money or property and attempting to do so,

JOEL WISHNE,

the defendant herein, did knowingly and willfully transmit and cause to be transmitted in interstate commerce certain writings, signs, signals, pictures and sounds by means of wire communication in furtherance and execution of said scheme, to wit: the defendant transferred \$1,022.00 from SafeVision's account **691 at Private Bank to Wishne's University of Missouri Bank of America credit card *571 via ACH PayByPhone.

In violation of Title 18, United States Code Section 1343.

A TRUE BILL.

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

DIANNA R. COLLINS
Assistant United States Attorney